

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

JAMES DICKERSON, et al.,)
)
Plaintiffs,)
)
vs.) Case No. 2:15 CV 90 CDP
)
RAVEN INDUSTRIES, INC.,)
)
Defendant.)
)
vs.)
)
WINTERS INSTRUMENTS, INC.,)
)
Third Party Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on third-party plaintiff Raven Industries' motion for default judgment. On July 6, 2016, the Court ordered Raven to file appropriate motions for entry of default and default judgment against third-party defendant Winters Instruments for its failure to timely answer or otherwise respond to third-party complaint. [22]. Raven complied with the Court's Order, and on July 25, 2016, the Clerk of Court entered default against Winters on Raven's third-party complaint. However, upon review the Court concludes that default judgment against Winters should not be entered on the third-party complaint unless and until the Dickerson plaintiffs' claims are resolved. Therefore, the Court will deny the motion for default judgment without prejudice at this time, subject to being refiled by Raven at the conclusion of the case or when otherwise appropriate.

Accordingly,

IT IS HEREBY ORDERED that third-party plaintiff's motion for default judgment [24] is denied without prejudice to being refiled, if necessary, at the conclusion of the case or as otherwise appropriate.


Catherine D. Perry
CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of August, 2016.